

DOCKET FILE COPY ORIGINAL
DOCKET FILE COPY ORIGINAL

ANN BAVENDER*
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
ROBERT N. FELGAR*
ERIC FISHMAN
RICHARD HILDRETH
FRANK R. JAZZO
ANDREW S. KERSTING*
EUGENE M. LAWSON, JR.
HARRY C. MARTIN
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
KATHLEEN VICTORY
HOWARD M. WEISS
* NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ARLINGTON, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

www.fhh-telcomlaw.com

RECEIVED

SEP 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D.P. SPEARMAN
(1936-1962)
FRANK ROBERSON
(1936-1961)
RUSSELL ROWELL
(1948-1977)

RETIRED
EDWARD F. KENEHAN

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (ret.)

OF COUNSEL
EDWARD A. CAINE*
MITCHELL LAZARUS*
EDWARD S. O'NEILL*
JOHN JOSEPH SMITH

WRITER'S DIRECT

703-812-0474

kersting@fhh-telcomlaw.com

September 8 1998

BY HAND DELIVERY

Magalie R. Salas, Esquire
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, DC 20554

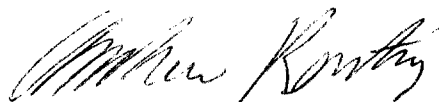
Re: Comments of Boulder Broadcasting Company
Boulder, Montana
MM Docket No. 98-127; RM-9303

Dear Ms. Salas:

Transmitted herewith on behalf of Boulder Broadcasting Company are an original and four copies of its Comments in the above-referenced proceeding in support of the proposed allotment of Channel 299A at Boulder, Montana, as that community's first local aural transmission service. See *Notice of Proposed Rulemaking*, DA 98-1378 (released July 17, 1998).

Should any questions arise concerning this matter, please communicate directly with this office.

Very truly yours,
FLETCHER, HEALD & HILDRETH, P.L.C.



Andrew S. Kersting
Counsel for Boulder Broadcasting Company

Enclosure

cc (w/ encl.): Certificate of Service (by hand)

not an original record
L. J. ABRAHAM

044

ORIGINAL

RECEIVED

SEP 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations,
(Boulder, Montana)

MM Docket No. 98-127
RM-9303

To: Chief, Allocations Branch

COMMENTS

Boulder Broadcasting Company ("BBC"), by counsel, and pursuant to Section 1.415 of the Commission's rules, hereby submits its comments in support of the *Notice of Proposed Rule Making*, DA 98-1378 (released July 17, 1998) ("*NPRM*"), proposing the allotment of Channel 299A to Boulder, Montana, as that community's first local aural transmission service.


BBC initiated this proceeding through its "Petition for Rulemaking," filed June 17, 1998. If the Commission should adopt its proposal and allot Channel 299A at Boulder, BBC hereby states that it will apply for a construction permit for a new FM station to operate on Channel 299A at Boulder, Montana, and, if its application is granted, will promptly construct the new facility to serve Boulder and the surrounding area as that community's first local broadcast service.

As noted in the *NPRM*, Channel 299A can be allotted to Boulder in compliance with the Commission's minimum distance separation requirements without a site restriction. Therefore, the proposed allotment of Channel 299A at Boulder, Montana, would serve the public interest.

WHEREFORE, in light of the foregoing, Boulder Broadcasting Company respectfully requests that Channel 299A be allotted to Boulder, Montana, as that community's first local aural transmission service.

Respectfully submitted,

BOULDER BROADCASTING COMPANY

By: 
Frank R. Jazzo
Andrew S. Kersting

Its Counsel

Fletcher, Heald & Hildreth, P.L.C.
1300 N. Seventeenth Street, 11th Floor
Arlington, Virginia 22209
(703) 812-0400

September 8, 1998

c:\ask...jazzo\rm\boulder.com

CERTIFICATE OF SERVICE

I, Crystal McElroy, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that on this 8th day of September, 1998, copies of the foregoing "Comments" were hand delivered or mailed first-class, postage prepaid, to the following:

John A. Karousos, Chief*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 554
Washington, DC 20554

Ms. Kathleen Scheuerle*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 564
Washington, DC 20554


Crystal McElroy

* Hand Delivered